



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION II

290 BROADWAY

NEW YORK, NEW YORK 10007-1866

MAR 31 2016

BY CERTIFIED MAIL,

RETURN RECEIPT REQUESTED & ELECTRONIC MAIL

To: See Attachment 1 - List of Addressees

Re: Diamond Alkali Superfund Site, Lower 8.3 Miles of Lower Passaic River,
Essex and Hudson Counties, New Jersey

Notice of Potential Liability under 42 U.S.C. § 9607(a)

Commencement of Negotiations for Remedial Design

As you know, the U.S. Environmental Protection Agency ("EPA") is charged with responding to the release or threatened release of hazardous substances, pollutants and contaminants into the environment and with enforcement responsibilities under the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. §§ 9601-9675 (also known as the "Superfund" law). More information about CERCLA, including a copy of the Superfund law, may be found at www.epa.gov/superfund.

EPA has documented the release and threatened release of hazardous substances, pollutants and contaminants into the lower 8.3 miles of the Lower Passaic River, which is part of the Diamond Alkali Superfund Site (the "Site"), located in Essex and Hudson Counties, New Jersey. In response to the release and threatened release of hazardous substances into the environment at the Lower Passaic River Study Area, EPA has spent public funds and anticipates spending additional public funds.

In 1983, sampling at and in the vicinity of 80 Lister Avenue and in the Passaic River revealed high levels of dioxin. In 1984 after investigations by the state of New Jersey and the EPA, the Site was listed on the EPA Superfund program's National Priorities List ("NPL") established pursuant to Section 105 of CERCLA, 42 U.S.C. § 9605. Dioxin, pesticides and other hazardous substances were found in the soil and groundwater at 80-120 Lister Avenue; and dioxin, polychlorinated biphenyls ("PCBs"), mercury, metals and pesticides were found in sediment in the Lower Passaic River.

In 1994, Occidental Chemicals Corporation ("OCC") signed an administrative order on consent with EPA to investigate a six-mile stretch of the Lower Passaic River, with the work performed

by Tierra Solutions, Inc. ("Tierra") on OCC's behalf. This investigation found contaminants that originated from the Diamond Alkali facility, in particular, 2,3,7,8-TCDD and pesticides, throughout the six miles, as well as other contaminants not necessarily linked to Diamond Alkali's operations, and showed that contaminated sediments moved into and out of the six-mile stretch, leading to the conclusion that a more comprehensive study was required. In 2002, EPA expanded the scope of the investigation to include the entire 17-mile Lower Passaic River.

Subsequently, EPA identified other potentially responsible parties ("PRPs") for the Lower Passaic River besides OCC. A number of companies that owned or operated facilities from which hazardous substances were potentially discharged to the river formed the Cooperating Parties Group ("CPG"). In 2004, EPA signed a settlement agreement with the CPG in which the group agreed to pay for EPA to perform the RI/FS for 17-mile Lower Passaic River Study Area ("LPRSA"). The settlement agreement was amended in 2005 and 2007, adding more parties, for a total of over 70 parties.

Also in 2004, EPA and OCC signed an agreement in which OCC agreed to conduct a separate RI/FS of the Newark Bay Study Area (Newark Bay and portions of the Hackensack River, Arthur Kill and Kill van Kull), investigating the extent of contamination under EPA oversight. As with the 1994 agreement, Tierra is performing the work on OCC's behalf. Finally, also in 2004, EPA formed a partnership with the U.S. Army Corps of Engineers, New Jersey Department of Transportation, U.S. Fish and Wildlife Service, National Oceanic and Atmospheric Administration and NJDEP to conduct a joint study of the LPRSA. The goal of the partnership was, to the extent possible, to integrate the RI/FS being performed under the Superfund program with a Feasibility Study under the Water Resources Development Act.

From 2004 to 2007, EPA investigated contamination in sediment and water of the Lower Passaic River, and investigated the major tributaries, combined sewer overflows and stormwater outfalls to the river. In 2007, the CPG entered into a new agreement with EPA in which the group agreed to take over the performance of the 17-mile LPRSA RI/FS from EPA under EPA oversight. During the course of the 17-mile study, EPA concluded that since the lower 8.3 miles of the river contain the bulk of the contaminated sediment which is the source of most of the risk associated with the Lower Passaic River, addressing this portion of the river first would better support the overall protection of human health and the environment than would awaiting the outcome of the 17-mile RI/FS to make a decision for the entire Lower Passaic River. EPA undertook a targeted RI and focused feasibility study ("FFS") of the lower 8.3 miles. Sampling results from the RI/FFS demonstrate the presence of hazardous substances in sediments of the lower 8.3 miles of the Lower Passaic River including polychlorinated dibenzo-*p*-dioxins and furans (dioxins and furans), PCBs, polycyclic aromatic hydrocarbons, dichlorodiphenyl-trichloroethane ("DDT") and its breakdown products and other pesticides, mercury, lead and other metals. The contamination present in sediments throughout the lower 8.3 miles presents an unacceptable human health and ecological risk.

EPA issued the Record of Decision selecting a remedy for the lower 8.3 miles of the Lower Passaic River on March 4, 2016. The selected remedy includes the following elements: 1) an engineered cap will be constructed over the river bottom of the lower 8.3 miles; 2) before the cap is placed, the river will be dredged bank-to-bank (approximately 3.5 million cubic yards) so the cap can be placed without increasing flooding and to allow for continued commercial use of the federally authorized navigation channel in the 1.7 miles of the river closest to Newark Bay;

3) dredged materials will be barged or pumped to a sediment processing facility in the vicinity of the Lower Passaic River/Newark Bay shoreline for dewatering, and dewatered materials will be transported to permitted treatment facilities and landfills in the United States or Canada for disposal; 4) mudflats dredged during implementation of the remedy will be covered with an engineered cap consisting of one foot of sand and one foot of mudflat reconstruction substrate; 5) institutional controls will be implemented to protect the engineered cap, and New Jersey's existing prohibitions on fish and crab consumption will remain in place and will be enhanced with additional community outreach; 6) long-term monitoring and maintenance of the engineered cap will be required to ensure its stability and integrity; and 7) long-term monitoring of fish, crab and sediment will be performed to determine when interim remediation milestones, remediation goals and remedial action objectives are reached. The estimated cost of the cleanup project is \$1.38 billion. Additional information about the Site, including the lower 8.3 miles of the Lower Passaic River, such as the RI/FFS reports and appendices, the Proposed Plan and the Record of Decision, can be found on EPA Region 2's website at <http://www.ourPassaic.org>

The documents that form the basis for EPA's selected remedy are contained in the administrative record, which is maintained at EPA's offices in New York City, and at the following administrative record repositories located near the Site:

Newark Public Library
5 Washington Street
Newark, New Jersey

Elizabeth Public Library
11 South Broad Street
Elizabeth, New Jersey

You may inspect copies of the administrative record during regular business hours at EPA's offices in New York City or at the local administrative record repositories identified above. The administrative record files can also be accessed online at:
<https://semspub.epa.gov/src/collection/02/AR63167>

NOTICE OF POTENTIAL LIABILITY

Under Section 107(a) of CERCLA, responsible parties may be held liable for costs incurred by EPA (including interest) in taking response actions at and around sites where hazardous substances have been released, including investigative, planning, removal, remedial, and enforcement actions. Responsible parties also may be subject to orders requiring them to take response actions themselves. Responsible parties under CERCLA include current owners or operators of a facility, past owners or operators of a facility at the time of disposal of hazardous substances, and persons who arranged for the treatment or disposal of hazardous substances which came to be located at a facility. EPA has previously notified over 100 parties of their potential liability under CERCLA for the Lower Passaic River Study Area, which includes the lower 8.3 miles. By this letter, we notify all the parties on the attached list of potential liability for the lower 8.3 miles.

FRAMEWORK FOR REMEDIAL DESIGN/REMEDIAL ACTION IMPLEMENTATION AND SETTLEMENT

REMEDIAL DESIGN ADMINISTRATIVE ORDER NEGOTIATIONS

EPA seeks to determine whether OCC will voluntarily perform the remedial design ("RD") for the remedy selected in the ROD. EPA intends to send a separate letter to OCC, enclosing a draft Administrative Order on Consent and Settlement Agreement for Remedial Design ("RD AOC"). EPA wishes to secure a commitment to perform the RD so as to ensure commencement of RD field work by the end of 2016. To that end, EPA will seek signature of an RD AOC by or before August 31, 2016.

This notice is not being given in accordance with the "special notice" procedures of Section 122(e) of CERCLA, 42 U.S.C. § 9622(e). EPA has decided not to use the special notice procedures as EPA does not believe that those procedures would facilitate an agreement or expedite remedial action at the Site.

REMEDIAL ACTION CONSENT DECREE NEGOTIATIONS

After execution of the RD AOC, EPA plans to begin negotiation of a remedial action consent decree, under which OCC and the other major PRPs will implement and/or pay for EPA's selected remedy for the lower 8.3 miles of the Lower Passaic River and reimburse EPA's costs incurred for the Lower Passaic River. In the meantime, we encourage the major PRPs to meet and discuss a workable approach to sharing responsibility for implementation and funding of the remedy.

OPPORTUNITY FOR CASH-OUT SETTLEMENT

Based on the information EPA has reviewed, the Agency believes that some of the parties that have been identified as PRPs under CERCLA, and some parties not yet named as PRPs, may be eligible for a cash out settlement with EPA for the lower 8.3 miles of the Lower Passaic River. Typically such a settlement would include: (1) a premium; (2) a covenant not to sue, which is a promise that EPA will not bring any future legal action against the settling party for the specific matters addressed in the settlement (i.e. concerning the lower 8.3 miles); and (3) protection from contribution claims, which provides a settling party with protection from being sued in a contribution action by other responsible parties for the specific matters addressed in the settlement. EPA intends to provide separate notice of the opportunity to discuss a cash out settlement at a later date.

Some or all of the costs associated with this notice may be covered by current or past insurance policies issued to you. Most insurance policies will require that you timely notify your carrier(s) of a claim against you. To evaluate whether you should notify your insurance carrier(s) of this demand, you may wish to review current and past policies, beginning with the date of your first contact with the Diamond Alkali Site, including the Lower Passaic River Study Area, up to the present. Coverage depends on many factors, such as the language of the particular policy and state law.

Finally, EPA has developed a fact sheet about the Small Business Regulatory Enforcement Fairness Act and information on resources for small businesses, which is available on the

Agency's website at <http://www.epa.gov/compliance/small-business-resources-information-sheet>.

If you have any questions regarding this letter, you may contact Juan Fajardo via email at fajardo.juan@epa.gov or by phone at (212) 637-3132, or Sarah Flanagan at flanagan.sarah@epa.gov or by phone at (212) 637-3136.

We appreciate and look forward to your prompt response to this letter.

Sincerely yours,


Nicoletta Di Forte
Deputy Director for Enforcement
Emergency and Remedial Response Division

Attachment 1 - List of Addressees

cc: Brian Donohue, Esq., USDOJ
Mark Barash, Esq., USDOI
Kate Barfield, Esq., NOAA
John Dickinson, Esq., New Jersey Attorney General's Office

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ATTACHMENT 1

Parties that Previously Received Notice Letters

| Company | Contact Information | Facility |
|--|--|---|
| A.E. Staley Manufacturing Co., Inc. 2200 E. Eldorado Street Decatur, IL 62521-1578 Now Tate & Lyle Ingredients Americas LLC | John R. Holsinger, Esq. Two University Plaza, Suite 300 Hackensack, NJ 07601 201-487-9000 (T) johnh@jrholsinger.com Heidi R. Balsley, Esquire Corporate Counsel 2200 E. Eldorado Street Decatur, IL 62521 Heidi.Balsley@tateandlyle.com | 320 Schuyler Avenue and 100 Third Avenue Kearny, NJ |
| Alcan Corporation Two Alliance Center 3560 Lenox Rd Atlanta, GA 30326 Now Novelis Corp. | John Tillman, Esq. North American Regional Counsel Novelis Corporation Two Alliance Center 3560 Lenox Rd Atlanta, GA 30326 404-760-4049 (T) John.tillman@novelis.com | Jacobus Ave. Kearny, NJ |
| Alden Leeds Inc. 55 Jacobus Ave. Kearny, NJ 07032 | Mark Epstein, President Alden Leeds Inc. 55 Jacobus Ave. Kearny, NJ 07032 Joseph Fiorenzo, Esq. Sokol, Behot & Fiorenzo Continental Plaza 433 Hackensack Ave. Hackensack, NJ 07601 201-488-1300(T) jbflorenzo@sbflawfirm.com | 2145 McCarter Highway Newark, NJ |
| Alliance Chemical, Inc. Linden Avenue Ridgefield, NJ 07657 | Fredi Pearlmutter, Esq. Lindabury, McCormick, Estabrook & Cooper, P.C. 53 Cardinal Drive Box 2369 Westfield, NJ 07091 908-233-6800 (T) fpearlmutter@lindabury.com | 33 Avenue P Newark, NJ |
| American Ref-Fuel Co. 155 Chestnut Ridge Road Montvale, NJ 07645 Now Covanta Essex Company | Nancy Tammi, Esq. VP, Associate General Counsel Covanta 445 South Street Morristown, NJ 07960 862-345-5133 | 183 Raymond Blvd & 66 Blanchard St Newark, NJ |

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| | <p>Gary P. Gengel, Esq. Kegan A. Brown, Esq. Latham & Watkins, LLP 885 Third Avenue New York, NY 10022-4834 Gary.gengel@lw.com</p> | |
| Arkema Incorporated 2000 Market Street Philadelphia, PA 19103-3222 | <p>Paula Martin, Esq. Doug Loutzenhiser Legacy Site Services, LLC 468 Thomas Jones Way, Suite 150 Exton, PA 19341-2528 Paula.martin@total.com</p> | <p>Wallace & Tiernan 25 Main Street Belleville, NJ</p> |
| Ashland, Inc. 5200 Blazer Parkway Dublin, OH 43017 | <p>Robin E. Lampkin Ashland Inc. 5200 Blazer Parkway Dublin, OH 43017 Telephone: 614-790-3019 relampkin@ashland.com</p> <p>William S. Hatfield, Esq. Gibbons P.C. One Gateway Center Newark, NJ 07102 whatfield@gibbonslaw.com</p> | <p>221 Foundry St. Newark, NJ</p> |
| Atlas Refining, Inc. 142 Lockwood Street Newark, NJ 07105 Now Atlas Refinery, Inc. | <p>Steven Schroeder, Jr., President & CEO Atlas Refinery, Inc. 142 Lockwood Street Newark, NJ 07105</p> <p>Thomas Ryan, Esq. Laddey, Clark & Ryan LLP 60 Blue Heron Road, Suite 300 Sparta, NJ 07871 973-729-1880(T) tryan@lcrlaw.com</p> | <p>142 Lockwood St. Newark, NJ</p> |
| Automatic Electro Plating Corp. 185 Foundry Street, Suite 3 Newark, NJ 07105 | <p>Michael O'Rourke, President Automatic Electro Plating Corp. 94 Colony Avenue Park Ridge, NJ 07656-1047</p> | <p>185 Foundry Street Complex Newark, NJ 07105 (Bldgs 19, 21, 22)</p> |
| BASF Catalysts LLC 100 Campus Drive Florham Park, NJ | <p>Karyllan D. Mack, Esq. (see below)</p> | <p>Engelhard Corporation One West Central Avenue East Newark, NJ</p> |

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| <p>BASF Corp. 3000 Continental Drive Mount Olive, NJ 07828</p> | <p>Karyllan D. Mack, Esq. Environmental Counsel BASF Corporation 100 Park Avenue Florham Park, NJ 07932 Karyllan.mack@basf.com</p> <p>David Schneider, Esquire Bressler, Amery & Ross Post Office Box 1980 Morristown, NJ 07962 dschneider@bressler.com</p> | <p>50 Central Ave. Kearny, NJ & 150 Wagaraw Rd Hawthorne, NJ</p> |
| <p>Belleville Industrial Center 681 Main Street Building 43 Belleville, NJ 07109</p> | <p>Carol Shapiro, President Belleville Industrial Center 681 Main Street, Building 43 Belleville, NJ 07109 973-751-0400 (T) shappyfam@aol.com</p> <p>Ryder T. Ulon, Esq. Gary F. Werner, Esq. Schenck, Price, Smith & King, LLP 220 Park Avenue Post Office Box 991 Florham Park, NJ 07932 973-540-7321 (T) rtu@spsk.com gfw@spsk.com</p> | <p>Helion Industries, Inc. 681 Main St. Belleville, NJ</p> |
| <p>Benjamin Moore & Co. 51 Chestnut Ridge Rd. Montvale, NJ 07645</p> | <p>Mark Boyland, Esq. Paul Sangillo, Esq. Benjamin Moore & Co. 101 Paragon Drive Montvale, NJ 07645 201.949.6318 (T) Mark.boyland@benjaminmoore.com Paul.sangillo@benjaminmoore.com</p> <p>Susanne Peticolas, Esq. Gibbons, PC One Gateway Center Newark, NJ 07102-5310 973-596-4751 (T) speticolas@gibbonslaw.com</p> | <p>134 Lister Ave. Newark, NJ</p> |

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| Berol Corporation c/o Newell Rubbermaid Inc. 2707 Butterfield Road, Suite 100 Oak Brook, IL 60523 | Andrew Sawula, Esq. Schiff Hardin LLP One Westminster Place, Suite 200 Lake Forest, IL 60045 847-295-4336 (T) asawula@schiffhardin.com | Faber-Castell Corporation 41 Dickerson Street Newark, NJ |
| Campbell Foundry Company 800 Bergen Street Harrison, NJ 07029 | Timothy J. Corriston, Esq. Connell Foley LLP 85 Livingston Avenue Roseland, NJ 07068 973-535-0500 (T) tcorriston@connellfoley.com | 800 Bergen Street Harrison, NJ |
| Canning Gum LLC c/o MacDermid Incorporated 1401 Blake Street Denver, CO 80202 | John Cordani, Esq. VP, General Counsel MacDermid Inc. 245 Freight Street Waterbury, CT 06702 | Frederick Gumm Chemical Co. 538 Forest Street Kearny, NJ |
| Celanese Ltd. Route 202-206 P.O. Box 2500 Somerville, NJ 08876 CNA Holdings LLC participating on behalf of Celanese Ltd | Katheryn Coggon, Esq. Associate General Counsel Celanese International Corporation Law Department 1601 West LBJ Freeway Dallas, TX 75234 972-443-4547 (T) Katheryn.coggon@celanese.com Duke K. McCall, III, Esq. Bingham McCutchen LLP 2020 K Street, N.W. Washington, DC 20006-1806 202-373-6607 (T) duke.mccall@bingham.com | 354 Doremus Ave Newark, NJ |
| Chargeurs, Inc. 178 Wool Road Jamestown, SC 29453 | James. R. Brendel, Esq. Thorp Reed & Armstrong, LLP One Oxford Centre 301 Grant Street, 14 th floor Pittsburgh, PA 15219-1425 412-394-2373 (T) jbrendel@thorpreed.com | United Piece Dye Works 199 and 205 Main Street and 42 Arnot Street Lodi, NJ |

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| Chevron Texaco Corporation 6001 Bollinger Canyon Rd. K-2056 San Ramon, CA 94583 Chevron Environmental Management Company participating for itself, Texaco, Inc. and TRMI-H LLC | Shawn Raymond DeMerse Chevron U.S.A. Inc. Law Department 1400 Smith Street, Rm 07090 Houston, TX 77002 shawndemerse@chevron.com Louis M. DeStefano, Esq. Buchanan Ingersoll & Rooney, PC 550 Broad Street, Suite 810 Newark, NJ 07102-4517 973.273.9800 (T) louis.destefano@bjpc.com | Getty Newark Terminal 86 Doremus Ave. Newark, NJ |
| Coats & Clark, Inc. 3420 Toringdon Way, Suite 301 Charlotte, NC 28277 | Dan Riesel, Esq. Jeff Gracer, Esq. Sive Paget & Riesel, P.C. 460 Park Avenue New York, NY 10022 212-421-2150 driesel@spr.com | Clark Thread Co. 260 Ogden Street Newark NJ 900 Passaic Avenue East Newark NJ 735 Broad Street Bloomfield NJ |
| Coltec Industries Inc. 5605 Carnegie Boulevard Charlotte, NC 28209 | Tom Price, Esq. EnPro Industries 5605 Carnegie Boulevard Charlotte, NC 28209 704-731-1525 (T) tom.price@enproindustries.com Charles E. Merrill, Esquire Husch Blackwell Sanders LLP 190 Carondelet Plaza, Suite 600 St. Louis, MO 63105 314-480-1952 charlie.merrill@huschblackwell.com | Crucible Steel Co. 1000 South Fourth St. Harrison, NJ |
| Congoleum Corp. 3705 Quakerbridge Road Mercerville, NJ 08619 | Russell Hewit, Esq. Dughi, Hewit & Domolewski, P.C. 340 North Avenue Cranford, NJ 07016 908-272-0200(T) rhwit@dughihewit.com | 195 Belgrove Drive Kearny, NJ |

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| Cooper Industries, Inc. 600 Travis Street Houston, TX 77002 | Ms. RosaMaria Villagomez Cooper Industries 600 Travis Street, Suite 5600 Houston, TX 77002 RosaMaria.Villagomes@cooperindustries.com Gerard J. Pels, Esq. Locke Lord 2800 JPMorgan Chase Tower 600 Travis Houston, TX 77002 Gpels@lockelord.com | J. Wiss & Sons Co 7, 13, 26 Bank Street and 33 Littleton Avenue (aka 400 West Market Street) Newark, NJ |
| Cooper Industries, LLC 600 Travis Street, Suite 5800 Houston, TX 77002 | (see above) | Thomas A. Edison, Inc. Belleville Avenue & Sherman Avenue Bloomfield, NJ 75 Belmont Avenue Belleville, NJ |
| Croda Inc. 300-A Columbus Circle Edison, NJ 08837 | Norman Spindel, Esq. Lowenstein Sandler PC 65 Livingston Avenue Roseland, NJ 07068 973-597-2514(T) nspindel@lowenstein.com | Hummel Lanolin 185 Foundry Street Complex Newark, NJ (Block 5005, Lot 21; Bld 39) |
| Curtiss-Wright Corp. 4 Becker Farm Road Roseland, NJ 07068 | Diana Buongiorno Chiesa Shahinian & Giantomassi, PC One Boland Drive West Orange, NJ 07052 973-530-2075(T) dbuongiorno@csglaw.com | 1 Passaic St. Woodridge, NJ |
| Darling International, Inc. 251 O'Connor Ridge Boulevard, Suite 300 Irving, TX 75038 | Steven Singer, Esq. 34 Hillside Avenue Montclair, NJ 07042 973-744-6093 stsinger@verizon.net | Standard Tallow Corp. 61 Blanchard Street, Newark, NJ 1215 Harrison Avenue, Kearny, NJ |
| DII Industries, LLC c/o Halliburton 2101 City West Blvd. Houston, TX 77042-3021 | Thomas C. Jackson, Esq. Joshua Frank, Esq. Baker Botts LLP 1299 Pennsylvania Ave., N.W. Washington, DC 20004-2400 202-639-7710 (T) Thomas.Jackson@bakerbotts.com Joshua.frank@bakerbotts.com | Worthington Corp. & Dresser Industries, Inc. 401 Worthington Avenue Harrison, NJ |

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| DiLorenzo Properties Company c/o 401 East 74 th Street New York, NY 10021-3919 | Steven R. Gray, Esq. Waters, McPherson, McNeill 300 Lighting Way PO Box 1560 Secaucus, NJ 07096 201-863-4400 (T) sgray@lawwm.com | American Modern Metals 44 Passaic Ave. (a/k/a 25 Belgrave Drive) Kearny, NJ |
| Drum Service of Newark, Inc. 38 Laurel Drive Wayne, NJ 07470 | Ralph Foglia 38 Laurel Drive Wayne, NJ 07470 | Hilton-Davis 120 Lister Ave. Newark, NJ |
| Eden Wood Corporation 47 Parsippany Road Whippany, NJ 07981 | Warren L. Dean, Jr. Thompson Coburn LLP 1909 K Street, N.W. Suite 600 Washington, D.C. 20006-1167 202.585.6908 (T) wdean@thompsoncoburn.com | Whippany Paper Board 1 Ackerman Avenue Clifton, NJ |
| E.I. duPont de Nemours & Co. 1007 Market Street Wilmington, DE 19898 | Bernard Reilly, Esq. Chemours Legal Department 1007 Market Street Wilmington, DE 19898 302-774-5445(T) bernard.j.reilly@usa.dupont.com | Pitt Consol 191 Doremus Ave. Newark, NJ |
| Elan Chemical Co. 268 Doremus Ave. Newark, NJ 07105 | Jocelyn Kapp Manship, CEO Elan Chemical Company Inc. 268 Doremus Avenue Newark, NJ 07105 Randy Schillinger, Esq. Saiber Schlesinger Staz & Goldstein One Gateway Center, 13 th Fl Newark, NJ 07102 973-622-3333(T) rs@saiber.com | 268 Doremus Ave. Newark, NJ |
| El Paso Tennessee Pipeline Co. 1001 Louisiana Street Houston, TX 77002 EPEC Polymers Inc. participating on behalf of itself and EPEC Oil Company Liquidating Trust | Andrea A. Lipuma, Esquire Saul Ewing LLP 750 College Road East Suite 100 Princeton, NJ 08540-6617 Telephone: 609-452-5032 alipuma@saul.com | Tenneco, Inc. 290 River Drive Garfield, NJ |

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| EM Sergeant Pulp & Chemical Co. 6 Chelsea Road Clifton, NJ 07012 | Messrs. Scott and Alan Reisch EM Sergeant Pulp & Chemical Co. 6 Chelsea Road Clifton, NJ 07012 | 120 Lister Avenue Newark, NJ |
| Essex Chemical Corp. 2030 WMDC Midland, MI 48674 | Kenneth Mack, Esq. Linda Mack, Esq. Fox Rothschild LLP Post Office Box 5231 Princeton, NJ 08543-5231 Princeton Pike Corp. Center 997 Lenox Drive, Bldg. 3 Lawrenceville, NJ 08648 609-896-3000(T) kmack@foxrothschild.com | 330 Doremus Ave. Newark, NJ |
| Everett Smith Group, Ltd. 330 East Kilbourn Avenue, Ste 750 Milwaukee, WI 53202 | Katherine M. Behm, Esq. Assistant General Counsel Everett Smith Group, Ltd. 330 East Kilbourn Avenue, Ste 750 Milwaukee, WI 53202 414-223-1560 (T) | Blanchard Bro. & Lane, Inc. 40 Bruen Street Newark, NJ |
| Fiske Brothers Refining Co. 129 Lockwood Street Newark, NJ | Damon Sedita, Esq. Sedita, Campisano & Campisano, LLC Wayne Plaza I 145 Route 46 West Suite 102 Wayne, NJ 07470 dsedita@scclegal.com 973-787-0299 | 129 Lockwood Street Newark, NJ |
| Flexon Industries Corp. One Flexon Plaza 366 Frelinghuysen Avenue Newark, NJ 07114 | Tom Spiesman Porzio Bromberg & Newman, PC 100 Southgate Parkway PO Box 1997 Morristown, NJ 07962 973-889-4208 (T) pbnlaw.com | 666 Washington Avenue Belleville, NJ |
| Foundry Street Corporation 260 Knoll Drive Park Ridge, NJ 07656 | Gerard Boriello Foundry Street Corporation 260 Knoll Drive Park Ridge, NJ 07656 | 185 Foundry Street Complex Newark, NJ (Block 5005, Lot 22 – Bldgs 19, 21, 22) |

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| Fragrances North America 1775 Windsor Road Teaneck, NJ 07666 Now Givaudan Corp. | Richard Wroblewski, P.G. Environmental Specialist Givaudan Fragrances Corp. 300 Waterloo Valley Road Mount Olive, NJ 07828 richard.wroblewski@givaudan.com William Hatfield, Esq. Gibbons, PC One Gateway Center Newark, NJ 07102-5310 973-596-4511 (T) whatfield@gibbonslaw.com | Givaudan Fragrances 125 Delawanna Avenue Clifton, NJ |
| Franklin Burlington Plastics, Inc. 113 Passaic Ave. Kearny, NJ 07032 | Norman Spindel, Esq. Lowenstein Sandler PC 65 Livingston Avenue Roseland, NJ 07068 973-597-2514(T) nspindel@lowenstein.com | 113 Passaic Ave. Kearny, NJ |
| Garfield Molding Company, Inc. 10 Midland Avenue Wallington, NJ 07057 | Steve Miller, Esq. Stephen W. Miller, Esq. Ricci Tyrrell Johnson & Grey 1515 Market Street, Suite 700 Philadelphia, PA 19102 215-320-2088 (T) smiller@rtjglaw.com | 10 Midland Avenue Wallington, NJ |
| General Electric Company 3135 Easton Turnpike Fairfield, CT 06828-0001 | Roger Florio, Esq. General Electric 640 Freedom Business Center King of Prussia, PA 19406 Gary Gengel, Esq. Latham & Watkins, LLP One Newark Center, 16 th floor Newark, NJ 07101 973-639-7287 (T) gary.gengel@lw.com | 415 South 5 th Street & 1000 South 2 nd Street Harrison, NJ |
| Goodrich Corporation Four Coliseum Centre 2730 West Tyvola Road Charlotte, NC 28217 | Earl W. Phillips, Jr., Esq. Robinson & Cole LLP 280 Trumbull Street Hartford, CT 06103-3597 860-275-8220 (T) ephillips@rc.com | Kalama Chemical 290 River Drive Garfield, NJ |

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| Harrison Supply Company 800 Passaic Avenue East Newark, NJ 07029 | Timothy J. Corriston, Esq. Connell Foley LLP 85 Livingston Avenue Roseland, NJ 07068 973-535-0500 (T) tcorriston@connellfoley.com | 800 Passaic Avenue East Newark, NJ |
| Hexcel Corp. 2 Stamford Plaza Stamford, CT 06901 | Steve Leifer, Esq. Baker Botts LLP 1299 Pennsylvania Ave., NW Washington, DC 20004 202-639-7723(T) sleifer@bakerbotts.com | 205 Main St. Lodi, NJ |
| Hoffman-La Roche Inc. 340 Kingsland Street Nutley, NJ 07110 | Ms. Mary Alice Barrett. Hoffman-La Roche Inc. 340 Kingsland Street Nutley, NJ 07110 973-235-4850 (T) maryalice.barrett@roche.com | 340 Kingsland Road Nutley, NJ |
| Honeywell International, Inc. P.O. Box 2245 Morristown, NJ 07962 | Jeremy Karpatkin, Esq. Arnold & Porter 555 Twelfth Street, NW Washington, DC 20004-1206 202-942-5564 (T) | General Chemical Co. 65 Lodi Street/8 th Street Passaic, NJ |
| ISP Chemicals, Inc. 1361 Alps Road Wayne, NJ 07470 now ISP Chemicals LLC | Robin E. Lampkin Ashland Inc. 5200 Blazer Parkway Dublin, OH 43017 614-790-3019 (T) relampkin@ashland.com William Hatfield, Esq. Gibbons, PC One Gateway Center Newark, NJ 07102-5310 973-596-4511 (T) whatfield@gibbonslaw.com | ISP Van Dyk, Inc. 1 Main St./11 William St. Wayne, NJ |
| ITT Industries, Inc. 77 River Road Clifton, NJ 07014 participating as Exelis Inc. for itself and ITT Industries, Inc | Susanne Peticolas, Esq. Gibbons, PC One Gateway Center Newark, NJ 07102-5310 973-596-4751 (T) speticolas@gibbonslaw.com | 100 Kingsland Drive Clifton, NJ |

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| Kearny Smelting & Refining 936 Harrison Ave #5 Kearny, NJ 07032 | Ms. Francine Rothschild, President Kearny Smelting & Refining 936 Harrison Ave Kearny, NJ 07032 201-991-7276 (T) | 936 Harrison Ave. Kearny, NJ |
| Lucent Technologies 600 Mountain Avenue Murray Hill, NJ 07974 now Alcatel-Lucent USA, Inc. | Ralph McMurry, Esq. Ralph L. McMurry Law Office 30 Vesey Street, 15 th Floor New York, NY 10007 212-608-5444/5053 (T) rlmcmurry@earthlink.net Gary M. Fisher, Esq. Alcatel-Lucent Environment, Health & Safety Corporate Center 600 Mountain Avenue Room 1F-102G Murray Hill, NJ 07974 gary.fisher@alcatel-lucent.com | AT&T/Western Electric 100 Central Ave. Kearny, NJ |
| Mallinckrodt, Inc. 675 McDonnell Blvd. Hazelwood, Missouri 63042 | William Hatfield, Esq. Gibbons P.C. One Gateway Center Newark, NJ 07102 973-596-4511 (T) whatfield@gibbonslaw.com Eric Berry, Esq. Vice President – Environmental Law Mallinckrodt Pharmaceuticals 975 McDonnell Blvd Hazelwood, MO 63042 | 165-167 Main St. Lodi, NJ |
| Monsanto Co. 800 North Lindbergh Blvd. St. Louis, Missouri 63167 Pharmacia Corporation (f/k/a Monsanto Company) | John F. Gullace, Esq. Manko, Gold, Katcher & Fox, LLP 401 City Avenue, Suite 500 Bala Cynwld, PA 19004 484-430-2326(T) jgullace@mgkflaw.com | Monsanto Co. Foot of Pennsylvania Ave. Kearny, NJ |
| National-Standard Company 1618 Terminal Road Niles, MI 49120 Now National-Standard LLC | Susanne Petricolas, Esq. Gibbons, PC One Gateway Center Newark, NJ 07102-5310 973-596-4751(T) speticolas@gibbonslaw.com | 714-716 Clifton Avenue Clifton, NJ |

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| Newark Morning Ledger 1 Star Ledger Plaza Newark, NJ 07102 | Daryl Kessler, Esq. Sabin, Berman & Gould, LLP 4 Times Square, 23 rd floor New York, NY 212-381-7026 dkessler@sbandg.com | 1 Star Ledger Plaza Newark, NJ |
| Newell Rubbermaid, Inc. 29 E. Stephenson Street Freeport, IL 60132 | Andrew Sawula, Esq. Schiff Hardin LLP One Westminster Place, Suite 200 Lake Forest, IL 60045 847-295-4336 (T) asawula@schiffhardin.com | Goody Products 969 Newark Turnpike Kearny, NJ |
| News America Inc. 767 Fifth Ave., 46 th Floor New York, NY 10153 fka News Publishing Australia, Ltd., now Twenty-First Century Fox America | Peter Simshauer, Esq. Skadden, Arps, Slate, Meagher & Flom LLP One Beacon Street Boston, MA 02108-3194 617-573-4880(T) psimshau@skadden.com | Chris-Craft Inc./Montrose Chemical Co. 100 Lister Ave. Newark, NJ |
| Occidental Chemical Corp. Occidental Tower 5005 LBJ Freeway Dallas, TX 75244 | Dennis F. Blake Senior Vice President Occidental Chemical Corp. 5005 LBJ Freeway Dallas, TX 75244 Benjamin S. Lippard, Esq. Vinson & Elkins, LLP 2200 Pennsylvania Avenue, Suite 500 West Washington, DC 20037-1701 713-758-2528(T) blippard@velaw.com | Diamond Shamrock Chemicals Co. 80 and 120 Lister Ave. Newark, NJ |
| The Okonite Company, Inc. 102 Hilltop Road Ramsey, New Jersey 07446 | Francis Giuliano, Esq. VP and General Counsel The Okonite Company, Inc. 102 Hilltop Road Ramsey, NJ 07446 201-825-0300(T) | Canal and Jefferson Streets Passaic, NJ |
| Otis Elevator Co. North America Operations 10 Farm Springs Road Farmington, CT 06032 | Earl W. Phillips, Jr., Esq. Robinson & Cole LLP 280 Trumbull Street Hartford, CT 06103-3597 860-275-8220(T) ephillips@rc.com | 1000 First St. Harrison, NJ |

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| Pabst Brewing Company 9014 Heritage Parkway, Suite 308 Woodridge, IL 60517 | Eugene Kashper, Chairman & CEO Pabst Brewing Company 10635 Santa Monica Blvd Ste 350 Los Angeles, CA 90025 | 400 Grove Street Newark, NJ |
| Passaic Pioneer Properties PO Box 327 35 Eighth Street Passaic, NJ 07055 | Passaic Pioneer Properties PO Box 327 35 Eighth Street Passaic, NJ 07055 973-473-1050 (T) | 35 Eighth Street Passaic, NJ |
| Pfizer Inc. 235 E. 42 nd St. New York, NY 10017 | Michael McThomas, Esq. Michael P. McThomas PLLC One Lee Hill Road Andover, NJ 07821 973-691-4711(T) 973-985-3740(M) mpm@mmtclaw.com | 230 Brighton Road Clifton, NJ |
| PMC, Inc. 12243 Branford Street Sun Valley, CA 91352 | Phillip Kamins, President & CEO PMC Global, Inc. 12243 Branford St Sun Valley, CA 91352 818-896-1101(T) | Kleer Kast 450 Schuyler Avenue Kearny, NJ |
| Power Test of New Jersey, Inc. 125 Jericho Turnpike Jericho, NY 11753 now Leemilt's Petroleum, Inc., successor to Power Test of NJ, Inc. | Christine Fitter, Asst Secretary Leemilt's Petroleum, Inc. 125 Jericho Turnpike, Suite 103 Jericho, NY 11753 cfitter@gettyrealty.com Nicole Moshang, Esq. Manko, Gold Katcher & Fox LLP 401 City Avenue, Ste. 500 Bala Cynwyd, PA 19004 484-430-2324 (T) nmoshang@mankofox.com | Getty Newark Terminal 86 Doremus Ave. Newark, NJ |
| PPG Industries, Inc. One PPG Place Pittsburgh, PA 15272 | Peter T. Stinson, Esq. Dickie McCamey & Chilcote P.C. Two PPG Place, Suite 400 Pittsburgh, PA 15222-5402 412-392-5432(T) pstinson@dmclaw.com | 29 Riverside Ave. Newark, NJ |

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| Quality Distribution, Inc. 150 East Pennsylvania Avenue Suite 450 Downington, PA 19335 Quality Carriers, Inc. | Bonni Kaufman, Esq. Holland & Knight, LLP 2099 Pennsylvania Avenue, N.W. Suite 100 Washington, DC 20006 202-419-2547 Telecopier: 202-955-5564 Bonni.kaufman@hklaw.com | Chemical Leaman Tank Lines 80 Doremus Avenue Newark, NJ |
| Reilly Industries, Inc. 1510 Market Square Center 151 North Delaware St. Indianapolis, IN 46204 now Vertellus Specialties Inc. | Thomas Mesevage, Esq. Corporate Counsel, Environmental Vertellus Specialties Inc. 900 Lanidex Plaza, Suite 250 Parsippany, NJ 07054-2739 973-515-8611(T) 973-945-7069(M) tmesevage@vertellus.com Glenn Harris, Esq. Ballard Spahr Andrews & Ingersoll Plaza 1000, Suite 500 Main Street Voorhees, NJ 08043 856-761-3400(T) harrisg@ballardspahr.com | 191 Doremus Ave. Newark, NJ |

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| Royce Associates 366 N. Broadway, Ste. 400 Jericho, NJ 11753 | A.J.Royce, President Royce Associates, ALP 35 Carlton Ave East Rutherford, NJ 07073 201-438-5200(T) Ronald Bluestein, Esq. Flamm Walton 794 Penllyn Pike Blue Bell, PA 19422 267-419-1500 (T) rbluestein@flammlaw.com | Royce Chemical Company 17 Carlton Avenue East Rutherford, NJ |
| RSR Corp. 2777 Stemmons Freeway, Suite 1800 Dallas, TX 75207 now Revere Smelting and Refining Corporation | Jane C. Luxton, Esq. Christopher Clare, Esq. Clark Hill PLC 601 Pennsylvania Avenue NW North Building, Suite 1000 Washington, DC 20004 202-572-8674(T) 703-598-3275(M) jluxton@clarkhill.com eclare@clarkhill.com | Revere Smelting & Refining 387 Avenue P Newark, NJ |
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| Safety Kleen Envirosystems Co. 1301 Gervais St. Columbia, SC 29201 McKesson Corporation for itself and for Safety-Kleen Envirosystems, Inc. | John Edgcomb, Esq. Law Offices of John Edgcomb 115 Sansome St., Suite 805 San Francisco, CA 94104 415-399-1555(T) jedgcomb@edgcomb-law.com | 600 Doremus Ave. Newark, NJ |

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| The BOC Group, Inc. 575 Mountain Avenue Murray Hill, NJ 07974 now Linde LLC on behalf of The BOC Group, Inc. | James (Jay) Stewart, Esq. Lowenstein Sandler PC 65 Livingston Avenue Roseland, NJ 07068 973-597-2522(T) jstewart@lowenstein.com Mike Resh, Esq. The BOC Group, Inc. 575 Mountain Avenue, Murray Hill, NJ 07974 Mike.resh@boc.com | 681 Main Street Belleville, NJ |
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| Unilever Bestfoods International Plaza Sylvan Avenue Englewood Cliffs, NJ 07632 Conopco, Inc., d/b/a Unilever (as successor to CPC/Bestfoods, former parent of the Penick Corporation) | Andrew Shakalis, Esq. Associate General Counsel – Environmental & Safety Unilever 700 Sylvan Avenue Englewood Cliffs, NJ 07632 201-894-2763 (T) 201-894-2727 (F) Andrew.shakalis@unilever.com | Penick Corporation 540 New York Avenue Lyndhurst, NJ |
| Viacom Inc. 11 Stanwix St. Pittsburgh, PA 15222 Now CBS Corporation | Jeffrey B. Groy, Esq. VP, Sr. Counsel/ Environmental CBS Corporation 333 West Wacker Drive, 27th Floor Chicago, IL 60606 312-288-3851(T) 312-288-3801(F) Jeff.Groy@cbs.com | Westinghouse Electric 95 Orange St. Newark, NJ |

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| Vulcan Materials Co. 1200 Urban Center Drive Birmingham, AL 35242 Now Legacy Vulcan Corp. | Eva Fromm O'Brien, Esq. Fulbright & Jaworski Fulbright Tower 1301 McKinney Suite 5100 Houston, TX 77010-3095 713-651-5321 (T) 713-651-5246 (F) eobrien@fulbright.com John M. Floyd, Esq. Senior Attorney Vulcan Materials Company 1200 Urban Center Drive Birmingham, AL 35242 205-298-3745 (Direct) 205-492-4219 (Cell) 205-298-2960 (F) floydj@vmemail.com | 600 Doremus Ave. Newark, NJ |
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| Passaic Valley Sewerage Commission | Gregory A. Tramontozzi, Esq Executive Director Passaic Valley Sewerage Commissioners 600 Wilson Avenue Newark, NJ 07105 Michael Witt, Esq. Chasan Leyner & Lamparello, PC 300 Harmon Meadow Blvd. Secaucus, NJ 07094 201-801-6093 mwitt@chasan.com | |
| City of Newark | Honorable Ras J. Baraka, Mayor City of Newark City Hall 920 Broad Street, Suite 200 Newark, New Jersey 07102 City of Newark Department of Law Room 316, City Hall 920 Broad Street Newark, NJ 07102 | |
| Borough of East Newark | Honorable Joseph R. Smith, Mayor Borough of East Newark 34 Sherman Avenue East Newark NJ 07029 | |
| Town of Harrison | Honorable James A. Fife, Mayor Town of Harrison 318 Harrison Avenue Harrison, New Jersey 07029 Mr. Paul J. Zarbetski, Esq. Town of Harrison 318 Harrison Avenue Harrison, New Jersey 07029 | |
| Town of Kearny | Honorable Alberto G. Santos, Mayor Town of Kearny 402 Kearny Avenue Kearny, NJ 07032 | |

